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PATENT  
Attorney Docket No.: 021216-000610US

TOWNSEND and TOWNSEND and CREW LLP

By:   
Jo Ann Honcik Dallara

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

SMIDER and HERIOT

Application No.: 10/578,054

Filed: November 02, 2004

For: A NON-FLUORESCENT, NON-  
ENZYMATIC, CHEMILUMINESCENT  
AQUEOUS ASSAY

Customer No.: 20350

Confirmation No. 4790

PRELIMINARY AMENDMENT

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In response to the Notification of Defective Response, which included a request to comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, 37 C.F.R. §§ 1.821-1.825, mailed April 12, 2005, Applicants submit herewith the required pdf version and computer readable copy (ASCII text) of the Substitute Sequence Listing.

**Remarks/Arguments** begin on page 2 of this paper.